



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NEW YORK 10007-1866

May 15, 2009

Mr. Richard Dalessio  
Project Manager  
Dormitory Authority of the State of New York  
Borough of Manhattan Community College  
DASNY Fiterman Hall Field Office  
70 Murray St, Room M202  
New York, N.Y. 10007

Re: Final Deconstruction Phase Documents  
Fiterman Hall, 30 West Broadway, New York, N.Y.

Dear Mr. Dalessio:

I am writing to inform you that the United States Environmental Protection Agency ("EPA") has completed its review of the procedures pertaining to the "Deconstruction Phase" at Fiterman Hall at 30 West Broadway, New York, N.Y. The Dormitory Authority of the State of New York (DASNY) and the City University of New York (CUNY) are seeking acceptance of the documents pertaining to the "Deconstruction Phase" in order to commence the "Deconstruction Phase" procedures at the building in compliance with legal and regulatory requirements.

EPA's review of the draft and final "Deconstruction Phase" documents focused on containment measures to control potential releases of contaminants, proper procedures for monitoring the work, and waste management and disposal. EPA's principal objective in its review is to identify instances where safeguards must be strengthened for the prevention of releases that may present an imminent and substantial endangerment to public health and the environment.

Specifically, the following documents were reviewed by EPA in order to understand and evaluate the procedures pertaining to the "Deconstruction Phase":

- Regulatory Submittal Part I(D) – Deconstruction Operation Work Plan, dated May 14, 2009,
- Regulatory Submittal Part III(D) – Deconstruction Health and Safety Plan (HASP), dated May 5, 2009,

- Regulatory Submittal Part IV(D) – Deconstruction Waste Sampling and Management Plan, dated May 5, 2009, and
- NYSDOL Variance Petition with Sub-sectional Relief Document and Scaffold Diagram dated May 14, 2009.

Based on our review EPA accepts the above documents pertaining to the “Deconstruction Phase”. It is our understanding that the U.S. Department of Labor Occupational Safety and Health Administration (OSHA), New York State Department of Labor (NYSDOL), New York State Department of Environmental Conservation (NYSDEC), New York City Department of Environmental Protection (NYCDEP), New York City Fire Department (NYCFD), and New York City Department of Buildings (NYCDOB) (the “referenced agencies”) are conducting independent reviews of the documents pertaining to the “Deconstruction Phase”. EPA’s acceptance of these documents pertaining to the “Deconstruction Phase” shall not be construed of as an acceptance by any of these agencies. Moreover, EPA’s acceptance is not intended as a review and acceptance of structural engineering and safety matters or requirements for the protection of worker safety and health or for fire protection and safety at Fiterman Hall. EPA’s acceptance is also based on our understanding that DASNY/CUNY will not proceed with the activities described in the “Deconstruction Phase” documents for the building until approvals are given by NYSDEC, NYCDEP, NYCDOB, NYCFD and other appropriate New York City agencies. NYSDOL’s acceptance is enclosed.

EPA will continue to work cooperatively with the referenced agencies and with DASNY/CUNY, its consultants and contractors on the decontamination and deconstruction of Fiterman Hall.

Sincerely,



Pat Evangelista  
WTC Coordinator  
New York City Response and Recovery Operations

Enclosure

cc: Richard Mendelson, OSHA w/encl.  
Suzanne Mattei, NYSDEC w/encl.  
Chris Alonge, NYSDOL w/encl.  
Krish Radhakrishnan, NYCDEP w/encl.  
Christopher Santulli, NYCDOB w/encl.  
Mike Weinlein, FDNY, w/encl.  
Richard Dalessio, DASNY w/encl.  
Max Pizer, CUNY w/encl.